

Baker Tilly Virchow Krause, LLP

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Thomas Walenchok,

Partner

*Consultants to the Debtor and Debtor-in-Possession***UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK**

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In re	: Chapter 11
	:
DOWLING COLLEGE,	:
f/d/b/a DOWLING INSTITUTE,	: Case No. 16-75545 (REG)
f/d/b/a DOWLING COLLEGE ALUMNI	:
ASSOCIATION,	:
f/d/b/a CECOM,	:
a/k/a DOWLING COLLEGE, INC.,	:
Debtor.	:
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**SUMMARY OF FINAL APPLICATION OF BAKER TILLY VIRCHOW KRAUSE, LLP,
CONSULTANTS FOR THE DEBTOR AND DEBTOR-IN-POSSESSION, PURSUANT TO
BANKRUPTCY CODE SECTIONS 330 AND 331 FOR ALLOWANCE OF
COMPENSATION AND REIMBURSEMENT OF EXPENSES**

Name of Applicant:	Baker Tilly Virchow Krause, LLP
Petition Date	November 29, 2016
Effective Date of Retention	September 27, 2017
Representation Period	September 27, 2017 through January 14, 2019
Role in This Case:	Consultants to the Debtor and Debtor in Possession
FINAL APPLICATION:	
Total Fees Requested for the Representation Period	\$8,234.00
Total Expenses Requested for the Representation Period	\$1,131.43
Total Sought:	9,365.43

PRIOR APPLICATION:	
<i>First Application for Period of September 27, 2017 through May 31, 2018</i>	
Total Fees Requested:	\$8,234.00
Total Fees Allowed and Paid on Interim Basis:	\$6,587.20
Total Fees Outstanding from Period:	\$1,646.80
Total Expenses Requested:	\$1,131.43
Total Expenses Paid:	\$1,131.43

This is a: ____interim__X__final application.

Baker Tilly Virchow Krause, LLP

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Facsimile 888 264-9617
Thomas Walenchok, Partner

Consultants to the Debtor and Debtor-in-Possession

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK**

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In re	: Chapter 11
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DOWLING COLLEGE,	:
f/d/b/a DOWLING INSTITUTE,	: Case No. 16-75545 (REG)
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ASSOCIATION,	:
f/d/b/a CECOM,	:
a/k/a DOWLING COLLEGE, INC.,	:
Debtor.	:
-----X	

**APPLICATION OF BAKER TILLY VIRCHOW KRAUSE, LLP,
CONSULTANTS TO THE DEBTOR AND DEBTOR IN
POSSESSION FOR A FINAL ALLOWANCE OF
COMPENSATION AND REIMBURSEMENT OF EXPENSES**

**TO THE HONORABLE ROBERT E. GROSSMAN,
UNITED STATES BANKRUPTCY JUDGE:**

Baker Tilly Virchow Krause, LLP (“BTVK”), consultants to Dowling College, debtor and debtor- in-possession in the above-captioned chapter 11 case (the “Chapter 11 Case”), respectfully submits this final application (“Application”), pursuant to sections 330 and 331 of title 11 of the United States Code (the “Bankruptcy Code”) for allowance, on a final basis, of compensation for professional services rendered to the Debtor and for reimbursement of actual and necessary costs and expenses incurred in connection with BTVK's representation of the Debtor in the Bankruptcy Case during the period from September 27, 2017 through January 14,

2019 (the “Representation Period”), and in support of its Application, respectfully represents as follows:

INTRODUCTION

1. This application is respectfully submitted by BTVK for a final allowance of compensation and reimbursement of expenses for all services rendered to the Debtor during the representation period as follows:

Total Fees Requested for the Representation Period:	\$8,234.00
Total Expenses Requested for the Representation Period:	\$1,131.43
Total Sought:	\$9,365.43

2. During the Representation Period, BTVK committed a total of 27.50 hours of professional time, resulting in an average hourly billing rate of \$299.42. Copies of the detailed accountant time records for the Representation Period are annexed hereto as **Exhibit A** and summaries of the time records broken down by timekeeper and billing task code are annexed as **Exhibits B** and **C**, respectively.

3. During the Representation Period, BTVK advanced \$1,131.43 for expenses for which it has been reimbursed. A detailed summary of the expenses is annexed hereto as **Exhibit D**.

4. Annexed hereto as **Exhibit E** is the certification of Thomas Walenchok.

JURISDICTION

5. This Court has jurisdiction over this Application by virtue of 28 U.S.C. §§ 157(a) and (b), and 1334(b), and the Administrative Order No. 264 titled “In the Matter of The

Referral of Matters to the Bankruptcy Judges” of the United States District Court for the Eastern District of New York (Weinstein, C.J.) dated August 28, 1986.

6. Venue is proper in this district pursuant to 28 U.S.C. § 1409(a) because this proceeding arises in a case under the Bankruptcy Code pending in this district.

BACKGROUND

7. On November 29, 2016 (the “Petition Date”), the Debtor filed a voluntary petition for relief under chapter 11 of Title 11 of the United States Code (the “Bankruptcy Code”) in the United States Bankruptcy Court for the Eastern District of New York (the or this “Court”).

8. On September 27, 2017, an application to employ BTVK as consultants and tax accountants for the Debtor was filed (the “BTVK Retention Application”) [Docket No. 410]. The BTVK Retention Application was granted by order of the Court dated October 17, 2017 and the retention was approved *nunc pro tunc* to September 27, 2017 (the BTVK Retention Order”) [Docket No. 423]. The BTVK Retention Order approved the retention of BTVK as consultants and tax accountants for the Debtor. This Application seeks compensation for BTVK’s role as consultants only. Contemporaneously herewith, BTVK is filing a separate application seeking compensation as tax accountants to the Debtor.

9. On December 21, 2016 the Court entered the *Order Pursuant to 11 U.S.C. §§ 105(a) and 331 Establishing Procedures for Interim Compensation and Reimbursement of Expenses of Professionals* (the “Interim Compensation Order”) [Docket No. 117].

10. BTVK has not entered into any agreement, express or implied, with any other party for the purpose of fixing or sharing fees or other compensation to be paid for professional services rendered in these cases. No promises have been received by BTVK as to compensation in connection with this Chapter 11 Case other than in accordance with the provisions of the

Bankruptcy Code.

SUMMARY OF SERVICES RENDERED

11. In conformity with the United States Trustee Guidelines For Reviewing Applications For Compensation and Reimbursement of Expenses Filed Under 11 U.S.C. § 330, dated January 30, 1996 (the “U.S. Trustee Guidelines”) BTVK has segregated its time entries during the Representation Period into the following project category, which corresponds to the major tasks undertaken by BTVK during the same period:

A. Department of Education Compliance Requirements

12. In this section of the Application, BTVK describes, in summary fashion, the services performed during the Representation Period by project category.

A. Department of Education Compliance Requirements

13. Prior to the Petition Date, federal financial aid funds were provided by the United States Department of Education (the “DOE”) and disbursed to students through Dowling in connection with Title IV programs. Since the Debtor has stopped operating as an educational institution, it is required to perform a close-out accounting in relation to its participation in Title IV programs. Toward that end, during the Representation Period, BTVK reviewed documentation to perform compliance services in connection with the DOE requirements, met with Dowling representatives to discuss student account records and report filings, drafted proposed procedures for submission to the DOE, and responded to inquiries from the DOE on the proposed procedures.

14. A total of 27.50 hours amounting to \$8,234.00 in fees were incurred by BTVK during the Representation Period.

TIME AND DISBURSEMENT RECORDS AND STAFFING

15. The services performed by BTVK for and on behalf of the Debtor in connection with the above matters during the Representation Period are detailed and itemized in full in the

time and disbursement logs annexed hereto as **Exhibit A**. Set forth on the attached **Exhibit B** is a summary of the persons who performed services on behalf of the Debtor, the hours of services performed by such person, the applicable hourly rate, and the total value of the services performed by each person during the Representation Period.

16. The persons at BTVK that assisted the Debtor on the above matters during the Representation Period are as follows:

a. Thomas Walenchok, CPA, is a partner at BTVK. Mr. Walenchok is a member of the American Institute of Certified Public Accountants (“AICPA”). Mr. Walenchok’s rate of \$380 per hour for consulting time and \$190 per hour for travel time is reasonable and such rate was Mr. Walenchok’s normal and customary rate during the period covered by this Application.

b. Stefanie Fedunok, is an administrative assistant at BTVK. Ms. Fedunok’s rate of \$90.00 per hour is reasonable as such rate was Ms. Fedunok’s normal and customary rate during the period covered by this application.

c. Julean Work, is an administrative assistant at BTVK. Ms. Work’s rate of \$90.00 per hour is reasonable as such rate was Ms. Work’s normal and customary rate during the period covered by this application.

17. The total fees for the services rendered in connection with this case during the Representation Period amounts to \$8,234.00 for time incurred and \$1,131.43 for expense reimbursement based upon a total of 27.5 hours. The blended hourly rate for all services provided during the Representation Period is \$299.42.

WHEREFORE, BTVK respectfully requests that this court enter an order (a) allowing BKVT, on a final basis, the sum of (i) \$8,234.00 for compensation for services rendered during the Representation Period, and (ii) the sum of \$1,131.43 for reimbursement of expenses incurred during the Representation Period, (b) authorizing and directing payment to BKVT such allowed amounts to the extent not already paid pursuant to the Interim Compensation Order and prior interim orders of the Court, and (c) granting BKVT such other further relief as the Court deems just and proper.

Dated: Pittsburgh, PA
January 29, 2019

BAKER TILLY VIRCHOW KRAUSE, LLP

By: /s/Thomas Walenchok
Thomas Walenchok
20 Stanwix St, Suite 800
Pittsburgh, PA 15222-4808
Telephone 412 697-6487
Facsimile 888 264-9617
Email thomas.walenchok@bakertilly.com

Consultants to the Debtor and Debtor-in-Possession

Exhibit A

Dowling College
Case No. 16-75545 (REG)

Final Application of Fees and Expenses
of Baker Tilly Virchow Krause, LLP, Consultants
to the Debtor and Debtor-in-Possession, Pursuant to
Bankruptcy Code Sections 330 and 331 for the Period
from September 27, 2017 through January 14, 2019

Name of Applicant:	Baker Tilly Virchow Krause, LLP
Authorized to Provide Services to:	Dowling College
Effective Date of Retention:	September 27, 2017
Period for Which Compensation and Reimbursement is Sought:	September 27, 2017 to January 14, 2019

Date	Staff	Hours	Rate	Fee	Detail
Administrative:					
10/25/2017	Stefanie Fedunok	1.50	\$ 90.00	\$ 135.00	Administrative- Typing draft Dept of Education procedures
10/25/2017	Julcan Work	0.60	\$ 90.00	\$ 54.00	Administrative- Typing draft Dept of Education procedures
11/22/2017	Stefanie Fedunok	0.30	\$ 90.00	\$ 27.00	Administrative - Typing draft procedures
Total Administrative		2.40		\$ 216.00	
Consulting:					
11/8/2017	Thomas Walenchok	1.00	\$ 380.00	\$ 380.00	Preparation for, and call with Neil Bivona to discuss Friday 11/10/17 meeting
11/9/2017	Thomas Walenchok	0.40	\$ 380.00	\$ 152.00	Preparation for meeting on Friday 11/10/17
11/10/2017	Thomas Walenchok	4.00	\$ 380.00	\$ 1,520.00	Meeting at Dowling College to review information available to perform Dept of Education procedures
11/19/2017	Thomas Walenchok	2.60	\$ 380.00	\$ 988.00	Prepare Dept of Education procedures listing based on meeting held at Dowling College
11/20/2017	Thomas Walenchok	3.20	\$ 380.00	\$ 1,216.00	Continue to prepare Dept of Education procedures listing based on meeting held at Dowling College
11/21/2017	Thomas Walenchok	2.60	\$ 380.00	\$ 988.00	Revise procedures per Quality Control review
11/22/2017	Thomas Walenchok	0.30	\$ 380.00	\$ 114.00	Finalize procedures and letter
2/5/2018	Thomas Walenchok	0.40	\$ 380.00	\$ 152.00	Review email from Neil Bovina to Dept of Education regarding summary of claims and suggested resolutions
4/16/2018	Thomas Walenchok	0.90	\$ 380.00	\$ 342.00	Review of Dept of Education response
4/26/2018	Thomas Walenchok	1.70	\$ 380.00	\$ 646.00	Review Dept of Education response and suggestion of alternative procedures
Total Consulting		17.10		\$ 6,498.00	
Travel:					
11/10/2017	Thomas Walenchok	8.00	\$ 190.00	\$ 1,520.00	Travel to Dowling College and back to Pittsburgh - includes Pittsburgh airport to LaGuardia and back. Also includes travel to Enterprise rent-a-car, drive to Dowling College Brookhaven Campus, and back to Enterprise.
Total time		27.50		\$ 8,234.00	

Exhibit B

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK**

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In re	: Chapter 11
	:
DOWLING COLLEGE,	:
f/d/b/a DOWLING INSTITUTE,	: Case No. 16-75545 (REG)
f/d/b/a DOWLING COLLEGE ALUMNI ASSOC	:
f/d/b/a CECOM,	:
a/k/a DOWLING COLLEGE, INC.,	:
	:
Debtor.	:
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**SUMMARY OF TIME BY TIMEKEEPER FOR FINAL FEE APPLICATION OF
BAKER TILLY VIRCHOW KRAUSE, LLP, CONSULTANTS TO THE DEBTOR AND
DEBTOR IN POSSESSION PURSUANT TO BANKRUPTCY CODE SECTIONS 330
AND 331 FOR ALLOWANCE OF COMPENSATION AND REIMBURSEMENT OF
EXPENSES FOR SEPTEMBER 27, 2017 THROUGH JANUARY 14, 2019**

Name of Consultant	Hourly Rate	Total Hours Billed	Total Compensation
Thomas Walenchok, Partner	\$380	17.10	\$6,498.00
Thomas Walenchok, Partner	\$190	8.00	\$1,520.00
Stefanie Fedunok, Administrative assistant	\$90	1.80	\$162.00
Julean Work, Administrative assistant	\$90	0.60	\$54.00
Total:		27.50	\$8,234.00

Exhibit C

Exhibit D

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK**

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 In re : Chapter 11
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 DOWLING COLLEGE, :
 f/d/b/a DOWLING INSTITUTE, : Case No. 16-75545 (REG)
 f/d/b/a DOWLING COLLEGE ALUMNI :
 ASSOCIATION, :
 f/d/b/a CECOM, :
 a/k/a DOWLING COLLEGE, INC., :
 Debtor. :
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**SUMMARY OF EXPENSES FOR FINAL FEE APPLICATION OF BAKER TILLY
 VIRCHOW KRAUSE, LLP, CONSULTANTS TO THE DEBTOR AND DEBTOR IN
 POSSESSION, PURSUANT TO BANKRUPTCY CODE SECTIONS 330 AND 331 FOR
 ALLOWANCE OF COMPENSATION AND REIMBURSEMENT OF EXPENSES
FOR SEPTEMBER 17, 2017 THROUGH JANUARY 14, 2019**

Airfare	\$ 994.40
Airport Parking	8.00
Car Rental	129.03
TOTAL EXPENSES:	\$1,131.43

Exhibit E

Baker Tilly Virchow Krause, LLP

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 Telephone: 412 697-6487
 Facsimile: 888 264-9617
 Thomas Walenchok, Partner

Consultants to the Debtor and Debtor-in-Possession

**UNITED STATES BANKRUPTCY COURT
 EASTERN DISTRICT OF NEW YORK**

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DOWLING COLLEGE,	:
f/d/b/a DOWLING INSTITUTE,	: Case No. 16-75545 (REG)
f/d/b/a DOWLING COLLEGE ALUMNI	:
ASSOCIATION,	:
f/d/b/a CECOM,	:
a/k/a DOWLING COLLEGE, INC.,	:
Debtor.	:
-----X	

**CERTIFICATION OF THOMAS WALENCHOK REGARDING THE FINAL FEE
 APPLICATION OF BAKER TILLY VIRCHOW KRAUSE LLP, AS CONSULTANTS
 TO THE DEBTOR AND DEBTOR IN POSSESSION, FOR AN ALLOWANCE OF
 COMPENSATION AND REIMBURSEMENT OF EXPENSES
FOR THE PERIOD OF SEPTEMBER 27, 2017 THROUGH JANUARY 14, 2019**

I, Thomas Walenchok, hereby certify that:

1. I am a partner with the firm Baker Tilly Virchow Krause, LLP (“BTVK”), which serves as consultants to Dowling College, debtor and debtor-in-possession in the above-captioned chapter 11 case (the “Chapter 11 Case”). This Certification is made in support of BTVK’s application (the “Application”) for a Final allowance of compensation for services rendered and reimbursement of expenses for the representation period of September 27, 2017 through January 14, 2019, in compliance with General Order 613, Guidelines for Fees and

Disbursements for Professionals in Eastern District of New York Bankruptcy Cases, effective as of June 10, 2013 (the “General Order”), the United States Trustee Guidelines for Reviewing Applications for Compensation and Reimbursement of Expenses Filed Under 11 U.S.C. § 330, adopted on January 30, 1996 (the “UST Guidelines”), and this Court’s Order Pursuant to 11 U.S.C. §§ 105(A) and 331 Establishing Procedures for Interim Compensation and Reimbursement of Expenses of Professionals [Docket No. 117] (the “Interim Compensation Order” and together with the General Order, UST Guidelines and the Large Case Guidelines, the “Guidelines”).

2. I certify that:

a. I have read the Application;

b. To the best of my knowledge, information, and belief formed after reasonable inquiry, the fees and expenses sought fall within the Guidelines;

c. The fees and disbursements sought are billed at rates and in accordance with practices customarily employed by BTVK and generally accepted by BTVK’s clients; and

d. In providing the reimbursable services reflected in the Application, BTVK did not make a profit on those services, whether performed by BTVK in-house or through a third party.

3. With respect to Section B(2) of the General Order, I certify that BTVK has complied with the provisions requiring it to provide to the Debtor, the U.S. Trustee for the Eastern District of New York, and the Creditors’ Committee a statement of BTVK’s fees and expenses accrued during previous months.

4. With respect to Section B(3) of the General Order, I certify that the Debtor, the U.S. Trustee for the Eastern District of New York and the Creditors’ Committee are each being provided with a copy of the Application and this Certification.

Dated: Pittsburgh, PA
January 29, 2019

**BAKER TILLY VIRCHOW KRAUSE,
LLP**

By: /s/ Thomas Walenchok
Thomas Walenchok
20 Stanwix Street
Pittsburgh, PA 15222
Tel: (412) 697-6487
Fax: (888) 264-9617
Email: Thomas.walenchok@bakertilly.com

*Consultants to the Debtor and Debtor-in-
Possession*